

APR 14 2004

OFFICIAL

Nixon & Vanderhye PC.
ATTORNEY AT LAW8TH FLOOR
1100 NORTH GLEBE ROAD
ARLINGTON, VIRGINIA 22201-4714TELEPHONE: (703) 816-4000
FACSIMILE: (703) 816-4100
WRITER'S DIRECT DIAL NUMBER:
(703) 816-4011**FACSIMILE COVER SHEET**
PLEASE DELIVER IMMEDIATELY!!!!

Atty Dkt.: 960-34 Date: April 14, 2004

To: Examiner Swartz, R. - Group: 1645

Firm: USPTO

Facsimile No.: (703) 872-9306

From: Mary J. Wilson

Number of Pages (including cover sheet): 15

(IF YOU DO NOT RECEIVE ALL OF THE PAGES OR ENCOUNTER DIFFICULTIES IN TRANSMISSION,
PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).

Tabitha A. Trice
FACSIMILE OPERATOR

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper and any noted attachments are being facsimile transmitted to the Patent and Trademark Office on April 14, 2004.

Mary J. Wilson
Mary J. Wilson

**ATTACHMENT/S: OFFICIAL SECOND AMENDMENT UNDER RULE 116 WITH
EXECUTED DECLARATION BY MENOZZI**

MESSAGE:

In re PATENT APPLICATION OF:

MENOZZI et al

Serial No.: 09/192,579

Filed: November 17, 1998

For: IDENTIFICATION AND CLONING OF A MYCOBACTERIAL ANTIGEN
CORRESPONDING TO A HEPARIN-BINDING HAEMAGGLUTININ

CONFIDENTIALITY NOTE

The documents accompanying this facsimile transmission contain information belonging to Nixon & Vanderhye, which is confidential and/or legally privileged. This information is only intended for the use of the individual or entity named above. IF YOU ARE NOT THE NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR TAKING OF THIS INFORMATION FOR ANY USE WHATSOEVER IS STRICTLY PROHIBITED. If you have received this facsimile in error, please immediately contact us by telephone to arrange for return of the original documents to us.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER RULE 116
EXPEDITED HANDLING PROCEDURES

In re Patent Application of

Atty Dkt. 960-34
C# M#

MENOZZI et al

TC/A.U. 1645

Serial No. 09/192,579

Examiner: Swartz, R.

Filed: November 17, 1998

Date: April 14, 2004

Title: IDENTIFICATION AND CLONING OF A MYCOBACTERIAL ANTIGEN
CORRESPONDING TO A HEPARIN-BINDING HAEMAGGLUTININ

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SECOND AMENDMENT UNDER RULE 116

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**

Fees are attached as calculated below:

Total effective claims after amendment	0	minus highest number		
previously paid for 20 (at least 20) =	0	x	\$ 18.00	\$ 0.00

Independent claims after amendment	0	minus highest number		
previously paid for 3 (at least 3) =	0	x	\$ 86.00	\$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)	\$ 0.00
--	---------

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months)	\$ 950.00
--	-----------

Terminal disclaimer enclosed, add \$ 110.00	\$ 0.00
---	---------

<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00)	\$ 0.00
---	---------

<input type="checkbox"/> Please enter the previously unentered, filed	
---	--

<input type="checkbox"/> Submission attached	
--	--

Subtotal \$ 950.00

Less 1 month extension fee paid March 12, 2004

<input type="checkbox"/> Applicant claims "small entity" status.	<input type="checkbox"/> Statement filed herewith	- \$ 110.00
--	---	-------------

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)	\$ 0.00
--	---------

Assignment Recording Fee (\$40.00)	\$ 0.00
------------------------------------	---------

Other:	0.00
--------	------

TOTAL FEE TO BE DEBITED \$ 840.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
MJW:tat

NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

RECEIVED
CENTRAL FAX CENTER

APR 14 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re Patent Application of

MENOZZI et al

Appl. No. 09/192,579

Filed: November 17, 1998

For: IDENTIFICATION AND CLONING OF A MYCOBACTERIAL ANTIGEN
CORRESPONDING TO A HEPARIN-BINDING HAEMAGGLUTININ

Atty. Ref.: 960-34; Confirmation No. 9973

TC/A.U. 1645

Examiner: Swartz, R

* * * * *

April 14, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SECOND AMENDMENT UNDER RULE 116

This is in response to the Official Action mailed November 12, 2003, in the above matter, the period for response having been extended up to May 12, 2004, by submission of the required petition and fee herewith. Kindly amend this application as follows (it is understood that the amendments set forth in the Amendment Under Rule 116 filed March 12, 2004 will not be entered).